

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-Cv-662-D

POLYZEN, INC.,

Plaintiff,

v.

RADIADYNE, LLC,

Defendants.

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VERDICT FORM

We the jury unanimously answer the issues as follows:

ISSUE 1

1. Did RadiaDyne breach a contract with Polyzen?

ANSWER: X Yes _____ No

ISSUE 2

If you answered "yes" to Issue 1, then answer Issue 2. Otherwise, do not answer Issue 2 and skip ahead to Issue 3.

2. What amount is Polyzen entitled to recover from RadiaDyne for breach of contract?

\$ 1.00

ISSUE 3

3. Did Polyzen breach a contract with RadiaDyne?

ANSWER: X Yes _____ No

ISSUE 4

If you answered "yes" to Issue 3, then answer Issue 4. Otherwise, do not answer Issue 4 and skip ahead to Issue 5.

4. What amount is RadiaDyne entitled to recover from Polyzen for breach of contract?

\$ 1.00

ISSUE 5

5. Was Note 1 of Page 4 of Exhibit PX103 a trade secret of Polyzen's?

ANSWER: ☐ Yes ☒ No

ISSUE 6

If you answered "yes" to Issue 5, then answer Issue 6. Otherwise, do not answer Issue 6 and skip ahead to Issue 9.

- ~~6.~~ Does RadiaDyne own Note 1 of Page 4 of Exhibit PX103 under the 2008 Development and Commercialization Agreement?

ANSWER: ☐ Yes ☐ No

ISSUE 7

If you answered "yes" to Issue 5 and "no" to Issue 6 then answer Issue 7. Otherwise, do not answer Issue 7 and skip ahead to Issue 9.

- ~~7.~~ Did RadiaDyne's misappropriation of Note 1 of Page 4 of Exhibit PX103 unjustly enrich RadiaDyne?

ANSWER: ☐ Yes ☐ No

ISSUE 8

If you answered "yes" to Issue 5 and Issue 7, and answered "no" to Issue 6, then answer Issue 8. Otherwise, do not answer Issue 8 and skip ahead to Issue 9.

- ~~8.~~ What amount is Polyzen entitled to recover from RadiaDyne for misappropriation of Note 1 of Page 4 of Exhibit PX103?

\$ _____.

ISSUE 9

9. Did Polyzen convert RadiaDyne's tooling used to make balloons?

ANSWER: ☒ Yes ☐ No

ISSUE 10

If you answered "yes" to Issue 9, then answer Issue 10. Otherwise, do not answer Issue 10 and skip ahead to Issue 11.

10. What amount is RadiaDyne entitled to recover from Polyzen for conversion of the property of RadiaDyne?

\$ 8400.00.

ISSUE 11

11. Did Polyzen trespass upon RadiaDyne's tooling used to make balloons?

ANSWER: ☒ Yes ☐ No

ISSUE 12

If you answered "yes" to Issue 11, then answer Issue 12. Otherwise, do not answer Issue 12 and skip ahead to Issue 13.

12. What amount is RadiaDyne entitled to recover from Polyzen for trespass upon RadiaDyne's tooling used to make balloons?

\$ 8400.00.

ISSUE 13

13. Did Polyzen commit fraud, and, if so, was RadiaDyne damaged by the fraud of Polyzen?

ANSWER: _____ Yes X No

ISSUE 14

If you answered "yes" to Issue 13, then answer Issue 14. Otherwise, do not answer Issue 14 and skip ahead to Issue 15.

- ~~14.~~ What amount is RadiaDyne entitled to recover from Polyzen for fraud?

\$ _____.

ISSUE 15

15. Did Polyzen compete unfairly with RadiaDyne, and, if so, was RadiaDyne damaged by Polyzen's unfair competition?

ANSWER: X Yes _____ No

ISSUE 16

If you answered "yes" to Issue 15, then answer Issue 16. Otherwise, do not answer Issue 16.

16. What amount is RadiaDyne entitled to recover from Polyzen for unfair competition?

\$ 1.00.

These are our unanimous answers. So say we all. This 20 day of April 2017.

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

Signature of Forfeiture person